

**U.S. District Court  
NORTHERN DISTRICT OF OHIO (Cleveland)  
CIVIL DOCKET FOR CASE #: 1:23-mc-00031-PAB**

Diversified Energy Company PLC et al v. Institute for Energy Economics and Financial Analysis Date Filed: 07/17/2023

Assigned to: Judge Pamela A. Barker  
Cause: No cause code entered

**Plaintiff**

**Diversified Energy Company PLC**

represented by **Daniel T. Donovan**  
Kirkland & Ellis – Washington  
1301 Pennsylvania Avenue, NW  
Washington, DC 20004  
202-389-5174  
Fax: 202-389-5200  
Email: [daniel.donovan@kirkland.com](mailto:daniel.donovan@kirkland.com)  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Active*

**Ragan Naresh**  
Kirkland & Ellis – Washington  
1301 Pennsylvania Avenue, NW  
Washington, DC 20004  
202-389-5267  
Fax: 202-389-5200  
Email: [ragan.naresh@kirkland.com](mailto:ragan.naresh@kirkland.com)  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Active*

**Plaintiff**

**Diversified Production LLC**

represented by **Daniel T. Donovan**  
(See above for address)  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Active*

**Ragan Naresh**  
(See above for address)  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Active*

**Plaintiff**

**Diversified Gas & Oil Corporation**

represented by **Daniel T. Donovan**  
(See above for address)  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Active*

**Ragan Naresh**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

*Bar Status: Active*

V.

**Defendant****Institute for Energy Economics and  
Financial Analysis**

represented by **Edward A. Icové**  
 Icové Legal Group  
 Ste. 3220  
 50 Public Square  
 Cleveland, OH 44113  
 216-802-0000  
 Fax: 216-802-0002  
 Email: [ed@icovelegal.com](mailto:ed@icovelegal.com)  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Active*

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Docket Text
07/17/2023	<u>1</u>	<b>Motion</b> to compel compliance with subpoena to The Institute for Energy Economics and Financial Analysis filed by Diversified Energy Company PLC, Diversified Gas & Oil Corporation and Diversified Production LLC. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1 – Subpoena, # <u>3</u> Exhibit 2 – Email dated 3/29/2022, # <u>4</u> Exhibit 3 – Email dated 3/1/2022, # <u>5</u> Proposed Order, # <u>6</u> Civil Cover Sheet, # <u>7</u> Exhibit 4 – SEALED, # <u>9</u> Exhibit 5 – SEALED) (B,DL). (Entered: 07/17/2023)
07/17/2023	<u>2</u>	Corporate Disclosure Statement filed by Diversified Energy Company PLC. (B,DL) (Entered: 07/17/2023)
07/17/2023	<u>3</u>	<b>Motion</b> for leave to file under seal exhibits in support of motion to compel compliance with subpoena to the Institute for Energy Economics and Financial Analysis filed by Diversified Energy Company PLC, Diversified Gas & Oil Corporation, Diversified Production LLC. Related document(s) <u>1</u> . (Attachments: # <u>1</u> Proposed Order). (B,DL) (Entered: 07/17/2023)
07/17/2023	<u>4</u>	Corporate Disclosure Statement identifying Other Affiliate Diversified Energy Company PLC for Diversified Gas & Oil Corporation filed by Diversified Gas & Oil Corporation. (B,DL) (Entered: 07/17/2023)
07/17/2023	<u>5</u>	Corporate Disclosure Statement identifying Other Affiliate Diversified Energy Company PLC for Diversified Production LLC filed by Diversified Production LLC. (B,DL) (Entered: 07/17/2023)
07/17/2023	<u>1</u>	Judge Pamela A. Barker assigned to case. (B,DL) (Entered: 07/17/2023)
07/18/2023	<u>6</u>	<b>Order</b> granting Plaintiff's Motion for leave to file under seal Exhibits 4 and 5 in support of motion to compel compliance with subpoena to the Institute for Energy Economics and Financial Analysis. (Doc # <u>3</u> .) Judge Pamela A. Barker on 7/18/2023.(P,K) Modified on 7/18/2023 (P,K). (Entered: 07/18/2023)
07/18/2023	<u>1</u>	<b>Order</b> [non-document] The Court has reviewed Diversified's Motion to Compel Compliance with Subpoena to the Institute for Energy Economics and Financial Analysis (Doc. No. <u>1</u> .) Counsel for Diversified is directed to engage in a meet and confer with counsel for the Institute For Energy Economics and Financial Analysis ("IEEFA") regarding the dispute outlined in the Motion to Compel. The meet and confer must be conducted in person, by video conference, or by telephone

		conference. Email communications will not be sufficient to demonstrate a good faith effort to confer and resolve the dispute. By no later than July 25, 2023, counsel for Diversified shall file a Status Report on the docket regarding the outcome of the meet and confer. If the parties are unable to fully resolve their dispute through the meet and confer process, IEEFA shall file a response to Diversified's Motion to Compel by no later than August 1, 2023. Judge Pamela A. Barker on 7/18/2023. (P,K) (Entered: 07/18/2023)
07/24/2023	<u>7</u>	Attorney Appearance by Edward A. Icove filed by on behalf of Institute for Energy Economics and Financial Analysis. (Icove, Edward) (Entered: 07/24/2023)
07/25/2023	<u>8</u>	Status Report filed by Diversified Energy Company PLC, Diversified Gas & Oil Corporation, Diversified Production LLC. (Donovan, Daniel) (Entered: 07/25/2023)
07/26/2023	<u>9</u>	Random Assignment of Magistrate Judge pursuant to Local Rule 3.1. In the event of a referral, case will be assigned to Magistrate Judge Jonathan D. Greenberg. (H,Ch) (Entered: 07/26/2023)
07/31/2023	<u>9</u>	<b>Motion</b> to change/transfer venue, or in the alternative, <b>Motion</b> for leave to file an opposition to the motion to compel and a motion to quash, with memorandum in support filed by Defendant Institute for Energy Economics and Financial Analysis. (Attachments: # <u>1</u> Exhibit A– Declaration of Attorney Icove with IEEFA'S May 15, 2023 objections, and letters dated June 8 and 14, 2023 to Attorney Persinger, # <u>2</u> Exhibit B– Sierra Club Order, Doc. 308 and 317 in NDWV case, # <u>3</u> Exhibit C– Sierra Club subpoena, Doc. 246–1 in NDWV case, # <u>4</u> Exhibit D– McMahon Order, Doc. 340 in NDWV case, # <u>5</u> Exhibit E– McMahon subpoena, Doc. 290 in NDWV case)(Icove, Edward) Added <b>Motion</b> for leave on 8/3/2023 (F,AW). (Entered: 07/31/2023)
07/31/2023	<u>9</u>	<b>Order</b> [non–document] Diversified shall file a response to IEEFA's Motion to Change/Transfer Venue (Doc. No. <u>9</u> ) by no later than August 14, 2023. Judge Pamela A. Barker on 7/31/2023. (P,K) (Entered: 07/31/2023)
08/02/2023	<u>10</u>	Errata in <i>IEEFA'S Motion to Transfer (DOC. 4 at 2, Page ID #192)</i> filed by Institute for Energy Economics and Financial Analysis. Related document <u>9</u> . (Icove, Edward) (Entered: 08/02/2023)
08/14/2023	<u>11</u>	<b>Opposition to 9 Motion</b> to change/transfer venue, or in the alternative, <b>Motion</b> for leave to file an opposition to the motion to compel and a motion to quash filed by Diversified Energy Company PLC, Diversified Gas & Oil Corporation, Diversified Production LLC. (Attachments: # <u>1</u> Exhibit 1 – July 18, 2023 Email from K. Young to Counsel, # <u>2</u> Exhibit 2 – McEvoy Pls.' 3rd Am. Compl. & Ex. A Thereto)(Naresh, Ragan) (Entered: 08/14/2023)
08/21/2023	<u>12</u>	<b>Reply to 11 opposition to 9 Motion</b> to change/transfer venue, or in the alternative, <b>Motion</b> for leave to file an opposition to the motion to compel and a motion to quash filed by Institute for Energy Economics and Financial Analysis. (Icove, Edward) (Entered: 08/21/2023)
09/08/2023	<u>13</u>	<b>Memorandum Opinion and Order:</b> For all the reasons set forth in this Order, IEEFA's Motion to Transfer (Doc. No. <u>9</u> ) is GRANTED. Diversified's Motion to Compel (Doc. No. <u>1</u> ) is hereby transferred to the United States District Court for the Northern District of West Virginia, as the issuing court in the matter of McEvoy v. Diversified Energy Company, PLC, Case No. 5:22CV00171– JPB (N.D. W.Va.). Judge Pamela A. Barker on 9/8/2023. (P,K) (Entered: 09/08/2023)